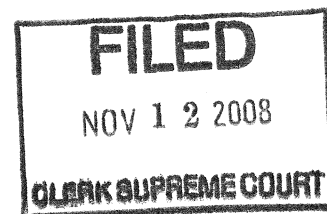


IN THE SUPREME COURT OF IOWA

O R D E R

REQUEST FOR PUBLIC COMMENT REGARDING PROPOSED AMENDMENTS TO IOWA COURT RULES REGARDING THE LICENSING AND PRACTICE OF FOREIGN LEGAL CONSULTANTS



The court is considering amendments to Iowa Court Rules chapter 31 regarding licensing and regulating the practice of foreign legal consultants. The proposed amendments are patterned on an ABA model rule, which may be located at <http://www.abanet.org/cpr/mjp/FLC.pdf>. First, the court proposes to add rule 31.18, which allows the supreme court to license to practice in this state, as a foreign legal consultant, members of a recognized legal profession in a foreign country. Second, the court proposes to amend rule 31.14 regarding admission pro hac vice before Iowa courts and administrative agencies. This amendment adds to the definition of an “out-of-state lawyer.” Third, the court proposes to amend rule 31.24, Forms 1 and 2, to require pro hac vice applicants to list any jurisdiction in which they have been licensed to practice as a foreign legal consultant. Now, the court seeks public comment on the proposed amendments.

Copies of the proposed amendments can be found at—www.iowacourts.gov/Supreme_Court/Orders/. In addition, copies are available at the office of the Clerk of the Supreme Court.

Any interested organization, agency, or person may submit written comments by **December 12, 2008**. To be considered by the court, comments must comply with the following requirements:

Comments about a proposed rule must refer to the specific rule number to which the comments are directed.

Comments must be delivered by e-mail or sent by regular mail to the Clerk of the Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319.

Comments submitted by e-mail must be addressed to **rules.comment@iowacourts.gov**, must state **“Foreign Legal Consultant Rule”** in the subject line of the e-mail, and **must be sent as an attachment to the e-mail in Microsoft Word format.**

Dated this 12th day of November, 2008.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha Ternus, Chief Justice

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CHAPTER 31
ADMISSION TO THE BAR

Rule 31.18 Licensing and practice of foreign legal consultants.

31.18(1) *General regulation as to licensing.* In its discretion, the supreme court may license to practice in the State of Iowa as a foreign legal consultant, without examination, an applicant who:

a. Is, and for at least five years has been, a member in good standing of a recognized legal profession in a foreign country, the members of which are admitted to practice as lawyers or counselors at law or the equivalent and are subject to effective regulation and discipline by a duly constituted professional body or a public authority;

b. For at least five years preceding his or her application has been a member in good standing of such legal profession and has been lawfully engaged in the practice of law in the foreign country or elsewhere substantially involving or relating to the rendering of advice or the provision of legal services concerning the law of the foreign country;

c. Possesses the good moral character and general fitness requisite for a member of the bar of this state; and

d. Intends to practice as a foreign legal consultant in this state and to maintain an office in this state for that purpose.

31.18(2) *Application.* An applicant under this rule shall file with the Office of Professional Regulation an application for a foreign legal consultant license, on a form approved by the supreme court, which shall include all of the following:

a. A certificate from the professional body or public authority having final jurisdiction over professional discipline in the foreign country in which the applicant is admitted, certifying the applicant's admission to practice, date of admission, and good standing as a lawyer or counselor at law or the equivalent, and certifying that the applicant has not been disciplined and no charges of professional misconduct are pending, or identifying any disciplinary sanctions that have been imposed upon the applicant or any pending charges, complaints, or grievances;

b. A letter of recommendation from one of the members of the executive body of such professional body or public authority or from one of the judges of the highest law court or court of original jurisdiction in the foreign country in which the applicant is admitted;

1 c. Duly authenticated English translations of the certificate required by rule
2 31.18(2)(a) and the letter required by rule 31.18(2)(b) if they are not in English;

3 d. The requisite documentation establishing the applicant's compliance with
4 the immigration laws of the United States;

5 e. Other evidence as the supreme court may require regarding the applicant's
6 educational and professional qualifications, good moral character and general
7 fitness, and compliance with the requirements of rule 31.18(1); and

8 f. An application fee of \$1500.

9 **31.18(3) Scope of practice.** A person licensed to practice as a foreign legal
10 consultant under this rule may render legal services in this state, but shall not
11 be considered admitted to practice law here, or in any way hold himself or
12 herself out as a member of the bar of this state, or, do any of the following:

13 a. Appear as a lawyer on behalf of another person in any court, or before any
14 magistrate or other judicial officer, in this state (except when admitted pro hac
15 vice pursuant to Iowa Ct. R. 31.14);

16 b. Prepare any instrument effecting the transfer or registration of title to real
17 estate located in the United States of America;

18 c. Prepare:

19 (1) Any will or trust instrument effecting the disposition on death of any
20 property located in the United States of America and owned by a resident
21 thereof, or

22 (2) Any instrument relating to the administration of a decedent's estate in the
23 United States of America;

24 d. Prepare any instrument in respect of the marital or parental relations,
25 rights, or duties of a resident of the United States of America, or the custody or
26 care of the children of such a resident;

27 e. Render professional legal advice on the law of this state or of the United
28 States of America (whether rendered incident to the preparation of legal
29 instruments or otherwise);

30 f. Carry on a practice under, or utilize in connection with such practice, any
31 name, title, or designation other than one or more of the following:

- 1 (1) The foreign legal consultant's own name;
- 2 (2) The name of the law firm with which the foreign legal consultant is
- 3 affiliated;
- 4 (3) The foreign legal consultant's authorized title in the foreign country of his
- 5 or her admission to practice, which may be used in conjunction with the name
- 6 of that country; and
- 7 (4) The title "foreign legal consultant," which may be used in conjunction with
- 8 the words "admitted to the practice of law in [name of the foreign country of his
- 9 or her admission to practice]."

10 **31.18(4) Rights and obligations.** Subject to the limitations listed in rule

11 31.18(3), a person licensed under this rule shall be considered a foreign legal

12 consultant affiliated with the bar of this state and shall be entitled and subject

13 to:

14 a. The rights and obligations set forth in the Iowa Rules of Professional

15 Conduct or arising from the other conditions and requirements that apply to a

16 member of the bar of this state under the Iowa Court Rules; and

17 b. The rights and obligations of a member of the bar of this state with respect

18 to:

19 (1) Affiliation in the same law firm with one or more members of the bar of

20 this state, including by:

- 21 1. Employing one or more members of the bar of this state;
- 22 2. Being employed by one or more members of the bar of this state or by any
- 23 partnership [or professional corporation] that includes members of the bar of
- 24 this state or that maintains an office in this state; and
- 25 3. Being a partner in any partnership [or shareholder in any professional
- 26 corporation] that includes members of the bar of this state or that maintains
- 27 an office in this state; and

28 (2) Attorney-client privilege, work-product privilege, and similar professional

29 privileges.

30 **31.18(5) Discipline.** A person licensed to practice as a foreign legal

31 consultant under this rule shall be subject to professional discipline in the

32 same manner and to the same extent as members of the bar of this state. To

33 this end:

34 a. Every person licensed to practice as a foreign legal consultant under this

35 rule:

36 (1) Shall be subject to the jurisdiction of the supreme court and the Iowa

37 Supreme Court Attorney Disciplinary Board and to reprimand, suspension,

38 removal, or revocation of his or her license to practice by the supreme court

39 and shall otherwise be governed by the Iowa Rules of Professional Conduct and

40 the Iowa Court Rules; and

41 (2) Shall execute and file with the clerk of the supreme court, in the form and

42 manner as the court may prescribe:

- 43 1. A commitment to observe the Iowa Rules of Professional Conduct and the
- 44 Iowa Court Rules to the extent applicable to the legal services authorized under
- 45 rule 31.18(3);

1 2. A written undertaking to notify the court of any change in the foreign legal
2 consultant's good standing as a member of the foreign legal profession referred
3 to in rule 31.18(1)(a) and of any final action of the professional body or public
4 authority referred to in rule 31.18(2)(a) imposing any disciplinary reprimand,
5 suspension, or other sanction upon the foreign legal consultant; and

6 3. A duly acknowledged instrument in writing, providing the foreign legal
7 consultant's address in this state and designating the clerk of the supreme
8 court as his or her agent for service of process. The foreign legal consultant
9 shall keep the office of professional regulation advised in writing of any
10 changes of address in this jurisdiction. In any action or proceeding brought
11 against the foreign legal consultant and arising out of or based upon any legal
12 services rendered or offered to be rendered by the foreign legal consultant
13 within this state or to residents of this state, service shall first be attempted
14 upon the foreign legal consultant at the most recent address filed with the
15 clerk. Whenever after due diligence service cannot be made upon the foreign
16 legal consultant at that address, service may be made upon the clerk. Service
17 made upon the clerk in accordance with this provision is effective as if service
18 had been made personally upon the foreign legal consultant.

19 b. Service of process on the clerk under rule 31.18(5)(a)(2)"3." shall be made
20 by personally delivering to the clerk's office, and leaving with the clerk, or with
21 a deputy or assistant authorized by the clerk to receive service, duplicate
22 copies of the process. The clerk shall promptly send one copy of the process to
23 the foreign legal consultant to whom the process is directed, by certified mail,
24 return receipt requested, addressed to the foreign legal consultant at the most
25 recent address provided in accordance with rule 31.18(5)(a)(2)"3."

26 **31.18(6) Required fees and annual statements.** A person licensed as a
27 foreign legal consultant shall pay a \$200 registration fee to the Client Security
28 Commission. The person licensed under this rule shall file an annual
29 statement and pay the annual disciplinary fee as required by Iowa Ct. Rs. 39.5
30 and 39.8.

31 **31.18(7) Revocation of license.** If the supreme court determines that a person
32 licensed as a foreign legal consultant under this rule no longer meets the
33 requirements for licensure set forth in rule 31.18(1)(a) or (b), it shall revoke the
34 foreign legal consultant's license.

35 **31.18(8) Admission to bar.** If a person licensed as a foreign legal consultant
36 under this rule is subsequently admitted as a member of the bar of this state
37 under the rules governing admission, that person's foreign legal consultant
38 license shall be deemed superseded by the license to practice law as a member
39 of the bar of this state.

Rule 31.14 Admission pro hac vice before Iowa courts and administrative agencies.

31.14(1) Definitions.

a. An “out-of-state” lawyer is a person who:

(1) Is not admitted to practice law in this state but who is admitted in another state or territory of the United States or of the District of Columbia, or is licensed to practice as a foreign legal consultant in any state or territory of the United States or of the District of Columbia; and is

(2) Is not disbarred or suspended from practice in any jurisdiction.

b. An out-of-state lawyer is “eligible” for admission pro hac vice if any of the following conditions are satisfied:

(1) The lawyer lawfully practices solely on behalf of the lawyer’s employer and its commonly owned organizational affiliates, regardless of where such lawyer may reside or work.

(2) The lawyer neither resides nor is regularly employed at an office in this state.

(3) The lawyer resides in this state but (i) lawfully practices from offices in one or more other states and (ii) practices no more than temporarily in this state, whether pursuant to admission pro hac vice or in other lawful ways.

c. An “in-state” lawyer is a person admitted to practice law in this state and is not disbarred or suspended from practice in this state.

d. A “client” is a person or entity for whom the out-of-state lawyer has rendered services or by whom the lawyer has been retained prior to the lawyer’s performance of services in this state.

e. “This state” refers to Iowa. This rule does not govern proceedings before a federal court or federal agency located in this state unless that body adopts or incorporates this rule.

31.14(2) Authority of court or agency to permit appearance by out-of-state lawyer.

a. *Court proceeding.* A court of this state may, in its discretion, admit an eligible out-of-state lawyer, who is retained to appear as attorney of record in a particular proceeding, only if the out-of-state lawyer appears with an in-state lawyer in that proceeding.

b. *Administrative agency proceeding.* If practice before an agency of this state is limited to lawyers, the agency may, using the same standards and procedures as a court, admit an eligible out-of-state lawyer who has been retained to appear in a particular agency proceeding as counsel in that proceeding pro hac vice, only if the out-of-state lawyer appears with an in-state lawyer in that proceeding.

c. *Subsequent proceedings.* Admission pro hac vice is limited to the particular court or agency proceeding for which admission was granted. An out-of-state lawyer must separately seek admission pro hac vice in any subsequent district or appellate court proceeding.

31.14(3) In-state lawyer’s duties. When an out-of-state lawyer appears for a client in a proceeding pending in this state, either in the role of co-counsel of

record with the in-state lawyer, or in an advisory or consultative role, the in-state lawyer who is co-counsel or counsel of record for that client in the proceeding remains responsible to the client and responsible for the conduct of the proceeding before the court or agency. It is the duty of the in-state lawyer to do all of the following:

- a. Appear of record together with the out-of-state lawyer in the proceeding.
- b. Actively participate in the proceeding. See Iowa R. of Prof'l Conduct 32:5.5(c)(1).
- c. Accept service on behalf of the out-of-state lawyer as required by Iowa Code section 602.10111.
- d. Advise the client of the in-state lawyer's independent judgment on contemplated actions in the proceeding if that judgment differs from that of the out-of-state lawyer.

31.14(4) Application procedure. An eligible out-of-state lawyer seeking to appear in a proceeding pending in this state as counsel pro hac vice shall file a verified application with the court or agency where the litigation is filed. The out-of-state lawyer shall serve the application on all parties who have appeared in the proceeding, and shall include proof of service. Application forms for admission pro hac vice can be found in rule 31.25.

31.14(5) Required information for application. An application filed by the out-of-state lawyer shall contain all of the following information:

- a. The out-of-state lawyer's residence and business addresses.
- b. The name, address, and phone number of each client sought to be represented.
- c. The courts before which the out-of-state lawyer has been admitted to practice and the respective period of admission and any jurisdiction in which the out-of-state lawyer has been licensed to practice as a foreign legal consultant and the respective period of licensure.
- d. Whether the out-of-state lawyer has been denied admission pro hac vice in this state. If so, specify the caption of the proceedings, the date of the denial, and what findings were made.
- e. Whether the out-of-state lawyer has had admission pro hac vice revoked in this state. If so, specify the caption of the proceedings, the date of the revocation, and what findings were made.
- f. Whether the out-of-state lawyer has been denied admission in any jurisdiction for reasons other than failure of a bar examination. If so, specify the jurisdiction, caption of the proceedings, the date of the denial, and what findings were made.
- g. Whether the out-of-state lawyer has been formally disciplined or sanctioned by any court in this state. If so, specify the nature of the allegations, the name of the authority bringing such proceedings, the caption of the proceedings, the date filed, what findings were made, and what action was taken in connection with those proceedings.
- h. Whether the out-of-state lawyer has been the subject of any injunction, cease-and-desist letter, or other action arising from a finding that the out-of-

91 state lawyer engaged in the unauthorized practice of law in this state or
92 elsewhere. If so, specify the nature of the allegations, the name of the
93 authority bringing such proceedings, the caption of the proceedings, the date
94 filed, what findings were made, and what action was taken in connection with
95 those proceedings.

96 *i.* Whether any formal, written disciplinary proceeding has been brought
97 against the out-of-state lawyer by a disciplinary authority or unauthorized
98 practice of law commission in any other jurisdiction within the last
99 five years, and as to each such proceeding: the nature of the allegations, the
100 name of the person or authority bringing such proceedings, the date the
101 proceedings were initiated and finally concluded, the style of the proceedings,
102 and the findings made and actions taken in connection with those proceedings.

103 *j.* Whether the out-of-state lawyer has been placed on probation by a
104 disciplinary authority in any other jurisdiction. If so, specify the jurisdiction,
105 caption of the proceedings, the terms of the probation, and what findings were
106 made.

107 *k.* Whether the out-of-state lawyer has been held formally in contempt or
108 otherwise sanctioned by any court in a written order in the last five years for
109 disobedience to its rules or orders, and, if so: the nature of the allegations, the
110 name of the court before which such proceedings were conducted, the date of
111 the contempt order or sanction, the caption of the proceedings, and the
112 substance of the court's rulings. A copy of the written order or transcript of the
113 oral rulings shall be attached to the application.

114 *l.* The name and address of each court or agency and a full identification of
115 each proceeding in which the out-of-state lawyer has filed an application to
116 appear pro hac vice in this state within the preceding two years, the date
117 of each application, and the outcome of the application.

118 *m.* An averment as to the out-of-state lawyer's familiarity with the rules of
119 professional conduct, the disciplinary procedures of this state, the standards
120 for professional conduct, the applicable local rules, and the procedures of the
121 court or agency before which the out-of-state lawyer seeks to practice.

122 *n.* The name, address, telephone number, and personal identification number
123 of an in-state lawyer in good standing of the bar of this state who will sponsor
124 the out-of-state lawyer's pro hac vice request.

125 *o.* An acknowledgement that service upon the instate lawyer in all matters
126 connected with the proceedings has the same effect as if personally made
127 upon the out-of-state lawyer.

128 *p.* If the out-of-state lawyer has appeared pro hac vice in this state in five
129 proceedings within the preceding two years, the application shall contain a
130 statement showing good cause why the out-of-state attorney should be
131 admitted in the present proceeding.

132 *q.* Any other information the out-of-state lawyer deems necessary to support
133 the application for admission pro hac vice.

134 **31.14(6) Objection to application.** A party to the proceeding may file an
135 objection to the application or seek the court's or agency's imposition of

conditions to its being granted. The objecting party must file with its objection a verified affidavit containing or describing information establishing a factual basis for the objection. The objecting party may seek denial of the application or modification of it. If the application has already been granted, the objecting party may move that the pro hac vice admission be revoked.

31.14(7) Standard for admission. The courts and agencies of this state have discretion as to whether to grant applications for admission pro hac vice. If there is no opposition, the court or agency has the discretion to grant or deny the application summarily. An application ordinarily should be granted unless the court or agency finds one of the following:

a. The admission of the out-of-state attorney pro hac vice may be detrimental to the prompt, fair, and efficient administration of justice.

b. The admission of the out-of-state attorney pro hac vice may be detrimental to legitimate interests of parties to the proceedings other than a client the out-of-state lawyer proposes to represent.

c. One or more of the clients the out-of-state lawyer proposes to represent may be at risk of receiving inadequate representation and cannot adequately appreciate that risk.

d. The out-of-state lawyer has appeared pro hac vice in this state in five proceedings within the preceding two years, unless the out-of-state lawyer can show good cause exists for admission.

31.14(8) Revocation of admission. Admission to appear as counsel pro hac vice in a proceeding may be revoked for any of the reasons listed in rule 31.14(7).

31.14(9) Discipline, contempt, and sanction authority over the out-of-state lawyer.

a. During the pendency of an application for admission pro hac vice and upon the granting of such application, an out-of-state lawyer submits to the authority of the courts of this state, the agencies of this state, and the Iowa ~~supreme court attorney disciplinary board~~ Supreme Court Attorney Disciplinary Board for all conduct relating in any way to the proceeding in which the out-of-state lawyer seeks to appear. The out-of-state lawyer submits to these authorities for all of the lawyer's conduct (i) within the state while the proceeding is pending or (ii) arising out of or relating to the application or the proceeding. An out-of-state lawyer who has pro hac vice authority for a proceeding may be disciplined in the same manner as an in-state lawyer. See Iowa R. Prof'l Conduct 32:8.5.

b. The authority to which an out-of-state lawyer submits includes, but is not limited to, the enforcement of the rules of professional conduct, the rules of procedure of the Iowa ~~supreme court attorney disciplinary board~~ Supreme Court Attorney Disciplinary Board, contempt and sanction procedures, applicable local rules, and court, agency, and board policies and procedures.

c. An out-of-state lawyer who appears before a court of this state or before an agency of this state when practice is limited to lawyers and who does not obtain admission pro hac vice is engaged in the unauthorized practice of law.

181 See Iowa R. Prof'l Conduct 32:5.5 cmt. 9. If an out-of-state lawyer reasonably
182 expects to be admitted pro hac vice, the lawyer may provide legal services that
183 are in or reasonably related to a pending or potential proceeding before a court
184 or agency in this state. See Iowa R. Prof'l Conduct 32:5.5(c)(2).

185 **31.14(10)** *Familiarity with rules.* An out-of-state lawyer shall become familiar
186 with the rules of professional conduct, the rules of procedure of the Iowa
187 ~~supreme court attorney disciplinary board~~ Supreme Court Attorney
188 Disciplinary Board, the standards for professional conduct, local court or
189 agency rules, and the policies and procedures of the court or agency before
190 which the out-of-state lawyer seeks to practice.

Rule 31.25 — Form 1: *Application for Admission Pro Hac Vice — District Court.*

IN THE IOWA DISTRICT COURT OF _____ COUNTY

<p>_____, Plaintiff(s), vs. _____, Defendant(s).</p>	<p>Case No. _____</p> <p style="text-align: center;">APPLICATION FOR ADMISSION PRO HAC VICE (Iowa Court Rule 31.14)</p>
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The undersigned seeks permission to appear pro hac vice in the above-captioned proceeding.

Applicant shall complete all of the following:

If this matter involves review of an agency action did the applicant seek admission pro hac vice in the proceedings below?

Yes ☐ No ☐

If yes, attach copies of all related documents.

a. Applicant's full name, residential address, and business address.

b. The name, address, and phone number of each client sought to be represented.

c. The courts before which the applicant has been admitted to practice and the respective periods of admission and any jurisdiction in which the out-of-state lawyer has been licensed to practice as a foreign legal consultant and the respective period of licensure.

d. Has the applicant ever been denied admission pro hac vice in this state?

Yes ☐ No ☐

If yes, on a separate page specify the caption of the proceedings, the date of the denial, and what findings were made. Attach copies of all related documents.

e. Has the applicant ever had admission pro hac vice revoked in this state?

Yes ☐ No ☐

If yes, on a separate page specify the caption of the proceedings, the date of the revocation, and what findings were made. Attach copies of all related documents.

f. Has the applicant ever been denied admission in any jurisdiction for reasons other than failure of a bar examination?

Yes ☐ No ☐

If yes, on a separate page specify the jurisdiction, caption of the proceedings, the date of the denial, and what findings were made. Attach copies of all related documents.

g. Has the applicant ever been formally disciplined or sanctioned by any court in this state?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the authority bringing such proceedings, the caption of the proceedings, the date filed, what findings were made, and what action was taken in connection with those proceedings. Attach copies of all related documents.

h. Has the applicant ever been the subject of any injunction, cease-and-desist letter, or other action arising from a finding that the applicant engaged in the unauthorized practice of law in this state or elsewhere?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the authority bringing such proceedings, the caption of the proceedings, the date filed, what findings were made, and what action was taken in connection with those proceedings. Attach copies of all related documents.

i. Has any formal, written disciplinary proceeding ever been brought against the applicant by a disciplinary authority or unauthorized practice of law commission in any other jurisdiction within the last five years?

Yes ☐ No ☐

If yes, on a separate page specify as to each such proceeding: the nature of the allegations, the name of the person or authority bringing such proceedings, the date the proceedings were initiated and finally concluded, the style of the proceedings, and the findings made and actions taken in connection with those proceedings. Attach copies of all related documents.

j. Has the applicant ever been placed on probation by a disciplinary authority in any other jurisdiction?

Yes ☐ No ☐

If yes, on a separate page specify the jurisdiction, caption of the proceedings, the terms of the probation, and what findings were made. Attach copies of all related documents.

k. Has the applicant ever been held formally in contempt or otherwise sanctioned by any court in a written order in the last five years for disobedience to its rules or orders?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the court before which such proceedings were conducted, the date of the contempt order or sanction, the caption of the proceedings, and the substance of the court's rulings. Attach to this application a copy of the written order or a transcript of the oral rulings and other related documents.

l. Has the applicant filed an application to appear pro hac vice in this state within the preceding two years?

Yes ☐ No ☐

If yes, on a separate page list the name and address of each court or agency and a full identification of each proceeding in which an application was filed, including the date and outcome of the application. Attach copies of all related documents.

m. I acknowledge my familiarity with the rules of professional conduct, the disciplinary procedures of this state, the standards for professional conduct, the applicable local rules, and the procedures of the court before which I seek to practice.

Yes ☐ No ☐

n. List the name, address, telephone number, and personal identification number of an in-state lawyer in good standing of the bar of this state who will sponsor the applicant's pro hac vice request.

o. I acknowledge that service upon the in-state lawyer in all matters connected with the proceedings will have the same effect as if personally made upon me.

Yes ☐ No ☐

p. If the applicant has appeared pro hac vice in this state in five proceedings within the preceding two years, the applicant shall, on a separate page, provide a statement showing good cause why the applicant should be admitted in the present proceeding.

q. On a separate page the applicant shall provide any other information the applicant deems necessary to support the application for admission pro hac vice.

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.

Date

Signature of applicant

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this application was served on the following parties (list names and addresses below) on the _____ day of _____ 20____ by _____ personal delivery _____ deposit in the U.S. mail.

Signature of person making service

Rule 31.25 — Form 2: Application for Admission Pro Hac Vice — Supreme Court.

IN THE IOWA SUPREME COURT

<p>_____, Plaintiff(s), vs. _____, Defendant(s).</p>	<p>Case No. _____</p> <p>APPLICATION FOR ADMISSION PRO HAC VICE (Iowa Court Rule 31.14)</p>
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The undersigned seeks permission to appear pro hac vice in the above-captioned proceeding.

Applicant shall complete all of the following:

Did the applicant seek admission pro hac vice in the proceedings below?

Yes ☐ No ☐

If yes, attach copies of all related documents.

a. Applicant's full name, residential address, and business address.

b. The name, address, and phone number of each client sought to be represented.

c. The courts before which the applicant has been admitted to practice and the respective periods of admission and any jurisdiction in which the out-of-state lawyer has been licensed to practice as a foreign legal consultant and the respective period of licensure.

d. Has the applicant ever been denied admission pro hac vice in this state?

Yes ☐ No ☐

If yes, on a separate page specify the caption of the proceedings, the date of the denial, and what findings were made. Attach copies of all related documents.

e. Has the applicant ever had admission pro hac vice revoked in this state?

Yes ☐ No ☐

If yes, on a separate page specify the caption of the proceedings, the date of the revocation, and what findings were made. Attach copies of all related documents.

f. Has the applicant ever been denied admission in any jurisdiction for reasons other than failure of a bar examination?

Yes ☐ No ☐

If yes, on a separate page specify the jurisdiction, caption of the proceedings, the date of the denial, and what findings were made. Attach copies of all related documents.

g. Has the applicant ever been formally disciplined or sanctioned by any court in this state?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the authority bringing such proceedings, the caption of the proceedings, the date filed, what findings were made, and what action was taken in connection with those proceedings. Attach copies of all related documents.

h. Has the applicant ever been the subject of any injunction, cease-and-desist letter, or other action arising from a finding that the applicant engaged in the unauthorized practice of law in this state or elsewhere?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the authority bringing such proceedings, the caption of the proceedings, the date filed, what findings were made, and what action was taken in connection with those proceedings. Attach copies of all related documents.

i. Has any formal, written disciplinary proceeding ever been brought against the applicant by a disciplinary authority or unauthorized practice of law commission in any other jurisdiction within the last five years?

Yes ☐ No ☐

If yes, on a separate page specify as to each such proceeding: the nature of the allegations, the name of the person or authority bringing such proceedings, the date the proceedings were initiated and finally concluded, the style of the proceedings, and the findings made and actions taken in connection with those proceedings. Attach copies of all related documents.

j. Has the applicant ever been placed on probation by a disciplinary authority in any other jurisdiction?

Yes ☐ No ☐

If yes, on a separate page specify the jurisdiction, caption of the proceedings, the terms of the probation, and what findings were made. Attach copies of all related documents.

k. Has the applicant ever been held formally in contempt or otherwise sanctioned by any court in a written order in the last five years for disobedience to its rules or orders?

Yes ☐ No ☐

If yes, on a separate page specify the nature of the allegations, the name of the court before which such proceedings were conducted, the date of the contempt order or sanction, the caption of the proceedings, and the substance of the court's rulings. Attach to this application a copy of the written order or a transcript of the oral rulings and other related documents.

l. Has the applicant filed an application to appear pro hac vice in this state within the preceding two years?

Yes ☐ No ☐

If yes, on a separate page list the name and address of each court or agency and a full identification of each proceeding in which an application was filed, including the date and outcome of the application. Attach copies of all related documents.

m. I acknowledge my familiarity with the rules of professional conduct, the disciplinary procedures of this state, the standards for professional conduct, the applicable local rules, and the procedures of the court before which I seek to practice.

Yes ☐ No ☐

n. List the name, address, telephone number, and personal identification number of an in-state lawyer in good standing of the bar of this state who will sponsor the applicant's pro hac vice request.

o. I acknowledge that service upon the in-state lawyer in all matters connected with the proceedings will have the same effect as if personally made upon me.

Yes ☐ No ☐

p. If the applicant has appeared pro hac vice in this state in five proceedings within the preceding two years, the applicant shall, on a separate page, provide a statement showing good cause why the applicant should be admitted in the present proceeding.

q. On a separate page the applicant shall provide any other information the applicant deems necessary to support the application for admission pro hac vice.

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.

Date

Signature of applicant

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this application was served on the following parties (list names and addresses below) on the _____ day of _____ 20____ by _____ personal delivery _____ deposit in the U.S. mail.

Signature of person making service